

Borough of Pine Hill
Council Meeting
February 13, 2012
Pine Hill Borough Hall
7:30 P.M.

Mayor Green called the meeting to order. He asked everyone to stand for the pledge of allegiance to the flag.

Deputy Clerk, Patricia Hendricks delivered the Sunshine Law and the awareness for the town.

Roll Call: Councilman Warrington-present, Councilwoman McCullen-present, Councilman Knott-present, Councilman Shultz-absent, Councilman Jaxel-present, Councilman Robb-present, Mayor Green-present, Mrs. Hendricks-present, Mr. Patterson-present, Mr. Cray-present

APPROVAL OF MINUTES

December 12, 2011 & December 19, 2011 – Regular Sessions

Motion to approve: Councilman Knott, 2nd Councilman Shultz

Roll Call: 4 yes votes, Councilman Jaxel & Councilman Robb Abstained

October 17, 2011, November 14, 2011 & December 19, 2011 – Closed Sessions

Motion to approve: Councilwoman McCullen, 2nd Councilman Knott

Roll Call: 4 yes votes, Councilman Jaxel & Councilman Robb Abstained

APPROVAL OF BILLS:

Motion to approve: Councilwoman McCullen, 2nd Councilman Shultz

Roll Call: 6 yes votes

COMMITTEE REPORTS:

Deputy Clerk Hendricks read the Committee Reports.

Motion to approve: Councilman Knott, 2nd Councilwoman McCullen

Roll Call: 6 yes votes

CORRESPONDENCE:

Mayor Green read the Correspondence.

Motion to approve: Councilman Warrington, 2nd Councilwoman McCullen

Roll Call: 6 yes votes

New Business and Discussion Items:

The Mayor discussed a proposal from Docu Vault Delaware Valley explaining that they provide an onsite shredding day for the residents of Pine Hill. The cost is \$250.00 per hour with a three hour minimum. They state that the cost to the Borough can be reimbursed through Clean Communities Grant.

The Mayor and Council did not approve the proposal of an onsite shredding day from Docu Vault Delaware Valley.

ORDINANCE #2012-881: AN ORDINANCE AMENDING ORDINANCE 2007-807 CAPTIONED "AN ORDINANCE TO RELEASE AND EXTINGUISH PUBLIC RIGHTS IN AND TO A PORTION OF A STREET OR ROAD KNOWN AND DESIGNATED AS CLEARVIEW AVENUE IN THE BOROUGH OF PINE HILL, COUNTY OF CAMDEN, STATE OF NEW JERSEY."

Public Hearing

Mayor Green read the Ordinance

Mayor Green opened the floor to the public.

No one spoke on behalf of the ordinance.

Motion to close the floor to the public: Councilwoman McCullen, 2nd Councilman Shultz

All in favor: 6 yes votes

Motion to move Ordinance #2012-881: Councilwoman McCullen, 2nd Councilman Jaxel

Roll Call: 6 yes votes

RESOLUTION #2012-37: RESOLUTION TO EXTEND THE MERCANTILE LICENSE DUE DATE FOR THE YEAR 2012

RESOLUTION #2012-38: RESOLUTION OF THE BOROUGH OF PINE HILL REDUCING AMENDED PERFORMANCE GUARANTEE FOR PINE HILL DEVELOPMENT ASSOCIATES, LLC AT FIELDSTONE AT PINE HILL DEVELOPMENT

RESOLUTION #2012-39: TRANSFER RESOLUTION WHICH ALLOWS TRANSFERS TO BE MADE FROM UNEXPENDED BALANCES DURING THE FIRST THREE MONTHS OF THE SUCCEEDING YEAR

RESOLUTION #2012-40: PROPERTY LIENS DUE TO MAINTENANCE WORK DONE BY THE PINE HILL PUBLIC WORKS FOR SAFETY AND SECURITY PURPOSES

RESOLUTION #2012-41: MATER ECCLESIAE ROMAN CATHOLIC CHURCH ST PATRICK'S DAY SOCIAL FUNDRAISER AFFAIR SPONSORED BY KNIGHTS OF COLUMBUS

RESOLUTION #2012-42: MAYOR GREEN APPOINTS TOM O'DONNELL TO THE RECREATION COMMISSION

RESOLUTION #2012-43: AUTHORIZING MAYOR GREEN TO ENTER INTO A SHARED SERVICE AGREEMENT BETWEEN THE COUNTY OF CAMDEN AND BOROUGH OF PINE HILL IN CONJUNCTION WITH THE GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG ABUSE.

Joint Motion to Move Resolution #2012-37 through Resolution #2012-43:
Councilman Shultz, 2nd Councilman Robb
Roll Call: 6 yes votes

PUBLIC PARTICIPATION:

Mayor Green made a motion to open to the public.

Mr. Walt Davis – 1 Franklin Avenue

He questioned the Development on Hickstown Road with the apartments and the town homes; how is that going to affect Pine Hill. He asked if the Borough leased it to them, did we sale ground to them or is a government program?

Mayor Green explained that the ground is private property actually the old Whiteys Junk Yard was a very large portion of the property. Then at a tax sale maybe ten years ago they purchased the thirty section of which was 30 town homes that was actually the III Phase of Bromley Estates that was never done. So the developer owns the property out right. He is also in the process of purchasing that white house that was up for sale next to it. He will own all of that property and whatever properties are put up there will be taxed at market value.

Mr. Walt Davis asked if we will get the taxes from the developer. Will that have any effect on our taxes? Is it a significant amount that will come in to play as far as reducing our taxes?

Mayor Green responded that the property itself has not been assessed yet, until it is occupied it won't be assessed. Any impact at all would not be felt until at least next year. I think the estimate is probably somewhere between \$50,000 and \$80,000 a year it will generate in taxes to the Borough.

Mr. Walt Davis - \$50,000 to \$80,000 a year for the whole thing. That is all it is a developer and he is going to rent it out. The only thing we do is collect taxes from him for being on the property.

Mayor Green explained that he will also have to pay school taxes, fire tax and all that. So I do not know what those cost would be.

Mr. Walt Davis – Requested December minutes from the Clerk’s Office and was told November minutes were not done. I was told they would be emailed to me, but I have not received them. So you are looking at three months now.

Mayor Green – stated that we just approved December minutes. I will have to look into it and get back to you.

Mr. Mike Barfield – 17 Penn Drive

He asked about setting up a 6x8 plaque for Mr. LaBree at the monument for the family.

Mayor Green said that he would need to look into this and get back to him.

Mr. John Schmidt -

I ran into your CFO over in Gloucester Township at their workshop meeting last Monday night. He informed me that you were hiring last Monday the new clerk and administrator and I just want to say that I really think Pine Hill made a great hire. I have had done a few OPRA requests in Washington Township. Washington Townships Clerk the Executive Minutes were always approved on time and appropriately redacted so you made a good hire and I would not mine having someone like that in my town.

Mayor Green - Thank you.

Mr. John Schmidt – I recently got the lease agreement for the Pine Hill Golf Course Trump National Philadelphia. If I could ask why it took about 8 OPRA requests denied me and others. What is so secret about it?

Mayor Green – I do not know anything secret about it.

Mr. Patterson – I only know the last request that came in and I told the clerk to response to it appropriately and provide the documents.

Mr. John Schmidt – Was it the previous Solicitor who said not to release it.

Mr. Patterson – I do not know anything about that.

Mr. John Schmidt – Is the Grieco matter completely closed.

Mayor Green – I do not know if it is completely closed. I believe it is closed to being closed.

Mr. Patterson – I have not been involved in that matter so I cannot answer that question.

Mr. John Schmidt – Is there still legal issues going on with Mr. Gelfand. If it is all over can I put in a request and finally get all the redacted and un-redacted invoices? I know when the first time I dealt with it Mr. Warrington you had said when it was closed that I could have them so I just want to make sure it is closed now. The Diana May case I know it is still on going and I know you probably cannot comment on it. Is the Borough still paying for Mr. Kearney's defense?

Mayor Green – stated Mr. Kearney's defense for what?

Mr. John Schmidt – There was a question raised I believe by Ms. McCullen or Mr. DelRossi former Council President regarding why the Borough was paying for his legal defense to meet with Brown & Connery.

Mayor Green – I do not think we are paying for anything for Mr. Kearney. I do not believe there is any outstanding suit at this time for Mr. Kearney.

Mr. John Schmidt – The issue was that he was an outside contractor and not an employee, which surprised me when you were paying \$500.00 he billed for a defense counselor one time.

Mr. Patterson – I did not see anything in any of the files that I received that indicated that there was any action against Mr. Kearney. I am not familiar with any; at least I have not been given any information.

Mr. John Schmidt – Something to follow up from the last meeting with regards to the attorney ethics advisory opinion. You had said that there was a newer opinion.

Mr. Patterson - I said what I would do is give an opinion to the governing body not to you. You are not my client just so you understand that. You had provided to me an opinion that was inadequate because the ethic laws had changed. I just could not remember the date and in 2006 the appearance of impropriety was eliminated by the ethics committee. So that no longer existed and that is what that opinion was based on. So the new rules so to speak have been established under the following format; a lawyer should not represent a client if the representation involves a concurrent conflict of interest evaluating by if there is a significant risk the lawyers responsibility would be continually limited by doing both. And in this issue with the MUA and this governing body there is really no concurring things are going on and they have not been for years so therefore the only thing that might be involved would be a bond issue. That is if the Municipal Utilities Authority when out for a bond issue this governing body had to consent to that, but that is usually always handed by council not by local council.

Mr. John Schmidt – Thank you for that clarification, I appreciate it.

Sarah Nicole – 44 East 9th Avenue

I wanted to introduce myself and to request that you consider if there is nothing that can be done for my case, but to keep other neighbors of the future from dealing with a generator. You have no idea of what it is like not to be able to sleep. It actually causes serious physical and mental issues. The quality of life is really going downhill you cannot even sell your house to get out of it and get away from it. I am looking into the tougher restrictions on voluntary use of generators.

Mr. Patterson – There are no laws against someone having a generator. However there are decibel zones in residential neighborhoods which have to be provided by. The decibel zones are usually tested by the County.

Sarah Nicole – The County has been out and they said that it was a violation daytime and nighttime. There are guide lines as to what you can do for noise violations.

Mayor Green – Did the County site it?

Sarah Nicole – Yes, the County said they are going to wait till tomorrow to see what happens. If it turns out that it is still running they will site them and then in 30 days they will site them again, but there is not really much more that they can do.

Mr. Patterson – Actually there may be more that we can do, but we have to wait and see what happens. It does not mean that there is no recourse it just means that we have to follow the process.

Sarah Nicole – Thank you.

Motion to Close to the Public: Councilman Jaxel, 2nd Councilman Robb
All in Favor: 6 yes votes

COUNCIL REPORTS:

Councilman Jaxel reported that they had their first Municipal Alliance meeting of the year. I will give a detail report at next council meeting when I get the information. We did vote to move the meeting to the first meeting of the month.

Councilman Knott reported about the snow storm on Saturday, I made phone calls to our Superintendent and yourself and we decided to send the trucks out for salting ahead of time and I think it paid off because I did not see the County come out and do any salting.

Mayor Green stated he was out on the roads coming home I was actually at an event and the roads were quite icy later in the evening. Pine Hill was in much better shape than some of the towns I went through.

Councilwoman McCullen reported on the Recreation Commission had their reorganization meeting this past Saturday, February 11th. I had one member absent and one came late, but we had a good attendance. We consider three requests for facilities and approved all three. We were very pleased to recommend the name of Tom O'Donnell for consideration to become a member of the Recreation Commission; he will be representing the Pine Hill School System. So

our three major organizations of the town will cover our youth. We discussed several things and things that they brought up for discussion I have asked them to please expand upon that into a proposal with price quotations. One of which was perhaps adding an access gate to the field the main football field I believe that is called Field A. They will look at that maybe relocation for the access to that emergency entrance in the event that there are problems or injury on the field rather than have it in the middle of the complex where they would have to drive through many parked cars. That is something I have asked so that I can know exactly what we are talking about and what the cost would be. Then I will make that proposal to you. I want to thank you for taking a few minutes to stop in to the meeting. Other than that our next meeting is Saturday, March 3rd at 10:00am.

Councilman Robb reported about the first Environmental Commission meeting. The Committee is sponsoring an SA for 5th graders in the town of Pine Hill. We do not have a time frame set to begin this, but we plan on awarding prizes and that award will coincide with the end of the school year.

Councilman Shultz reported Economic Development Committee met on February 1st. He talked about on what is going on in town and how to get more ratable. We talked about Erial Road and downtown what we want to do with that. The new Borough website when that gets up and running, we are going to do an advertisement to supporting businesses in town to promoting new businesses in town, promoting development and marketing current businesses to making sure that they stay. And ideas on what we would do if new businesses came in town. We chose Tom Hassett as the chair.

Councilman Warrington reported about the new Police Chief formatting for reports more detail. It will allow council members to be a little more informed with the department and the goings on. Also it includes a number of letters of commendation for our department. All throughout all of Camden County so is quite an honor to share all of those letters with the public and the members of council. This Wednesday Deputy Public Safety Director Robb will be sitting down with my-self and Chief Winters for a briefing to give him a familiarization with the department and to update a number of items that the chief's been working on making progress in a number of different areas. The next step will be for my-self and Councilman Robb to sit down with our Emergency Management Coordinator John Greer who is also the Fire Chief and get a familiarization on that as well. The only other thing that I wanted to point out to council and I talked to Chief Winters about this. There was article in the paper where public safety directors having a badge became an issue. I have had a badge long before we had photo ids. In fact it is not really adequate identification anyway. I talked to Chief and with the idea that there could have been a misunderstanding if I wore it I am going to hand this back to him and use my photo id.

Mayor Green reported on attending various functions representing council. This past Saturday I had the opportunity to attend the Cub Scout Pack 136 blue and gold banquet. It was very nice time. It was great to see so many of our youth in town involved in scouting. Also about a week ago I attend the Fire Department Installation Dinner where I swore in the new officers. Two weeks ago my-self and Councilwoman McCullen attended the Camden County Mayor Reorganization Dinner.

Engineer Paul Cray – Reminder for Community Block Grant annual workshop is this Thursday, February 16, 2012 at 9:00am.

RESOLUTION #2012-44: Litigation on Harvest Ministries

Mayor Green asked for a motion to go into closed session for litigation involving the Harvest Ministries Matter

Motion to Move Resolution #2012-44: Councilman Warrington, 2nd Councilman Shultz
Roll Call: 6 yes votes

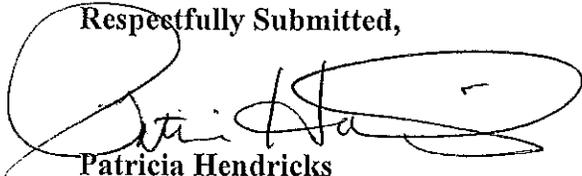
Closed Session began at 8:20pm.
Closed Session closed at 8:30pm.

Roll Call vote to return into open session.
Roll Call: 6 yes votes

No decisions are being made regarding the closed session matters at this time.

Motion to adjourn regular session at 8:35pm: Councilman Knott, 2nd Councilman Warrington
All in favor: 6 yes votes

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Patricia Hendricks", written over a large, light-colored oval shape.

Patricia Hendricks
Deputy Clerk